



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE **RECEIVED**

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OFFICE OF PETITIONS

Applicant: Richard L. Frank, Gopalan Arun, Michael J. Cusson and Daniel E. O'Shaughnessy

Application No.: 09/321,809

Group: 2127

Filed: May 28, 1999

Examiner: Tang, Kenneth

Confirmation No.: 7075

For: SYSTEM FOR EXTENDING AN ADDRESSABLE RANGE OF MEMORY

| | |
|---|-----------------------|
| CERTIFICATE OF MAILING OR TRANSMISSION | |
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on: | |
| 2/6/04 | <i>Delina Ranucci</i> |
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| Typed or printed name of person signing certificate | |

PETITION TO WITHDRAW HOLDING OF ABANDONMENT
FOR FAILURE TO RECEIVE OFFICE ACTION AND TO REVIVE UNINTENTIONAL
ABANDONMENT OF APPLICATION

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This petition is responsive to the Notice of Abandonment dated August 8, 2003. The application was held abandoned for failure to respond to the Office Action dated November 12, 2002. The Applicant's request that the office withdraw the holding of abandonment because the

subject Office Action was not received at this office. In addition, the delay in filing the Petition was unintentional and the Applicant requests that the application be revived.

In response to the Notice of Abandonment, the file jacket and docket records were searched and showed that there was no record of receipt of the Office Action. A copy of the docket records for the application is attached as Exhibit A.

It is also the practice of this law firm to maintain a log of all received USPTO mail. The mail log from November 1, 2002 through December 31, 2002, when the subject Office Action should have been received, was searched. A copy of the mail log is attached as Exhibit B, with client docket numbers and comments in this mail log redacted for purposes of client confidentiality. The mail log also fails to indicate any USPTO communication for this application.

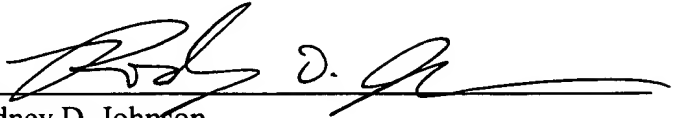
The undersigned attorney has reviewed the above facts and is attesting to their accuracy. Based on those facts, it is believed that the Office Action was not received.

In consideration of the above statement, it is respectfully requested that the holding of abandonment be withdrawn, that the outstanding Office Action be reissued, and that the period for response be restarted. The entire delay in filing this Petition was unintentional. The filing of the petition was not docketed, as also shown on the enclosed docket report (Exhibit A) which resulted in the delay. Because this application was filed after June 8, 1995, no terminal disclaimer should be required. Nevertheless, a Terminal Disclaimer and required fee are enclosed disclaiming a patent term beyond 20-years of the application filing date.

The required petition fee under 37 C.F. R. §1.17(m) is enclosed. Please charge Deposit Account No. 08-0380 for any additional fees that may be due in this matter. One additional copy of this petition is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

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Date: February 6, 2007